

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



In re application of: Birgit NEUDECKER et al.  
Serial No.: 10/822,074  
Filed: 04/09/2004  
For: METHOD AND PREPARATION CONTAINING IDEBENONE FOR PROTECTING HUMAN SKIN

Sir:

Transmitted herewith is a **Supplemental Information Disclosure Statement (2 pages)** with **PTO-1449 (1 page)** in the above-identified application.

Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
 Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
 No fee for additional claims is required.  
 A filing fee for additional claims calculated as shown below, is required:

FOR:	(Col. 1)		PRESENT	(Col. 2)		OR	SMALL ENTITY		LARGE ENTITY	
	REMAINING	HIGHEST		RATE	Fee		RATE	Fee	RATE	Fee
AFTER		PREVIOUSLY		PAID FOR	EXTRA					
AMENDMENT										
TOTAL CLAIMS	* Minus 20	=	0			<input checked="" type="checkbox"/> \$ 9	\$		<input checked="" type="checkbox"/> \$ 18	\$
INDEP. CLAIMS	* Minus 3	=	0			<input checked="" type="checkbox"/> \$ 43	\$		<input checked="" type="checkbox"/> \$ 86	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						<input checked="" type="checkbox"/> + \$145	\$		<input checked="" type="checkbox"/> + \$290	\$
						TOTAL: \$		OR	TOTAL: \$	

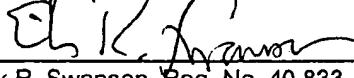
\* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

Also transmitted herewith are:  
 Petition for extension under 37 C.F.R. 1.136  
 Other: Copies of cited references

Check(s) in the amount of \$ is/are attached to cover:  
 Filing fee for additional claims under 37 C.F.R. 1.16  
 Petition fee for extension under 37 C.F.R. 1.136  
 Other:

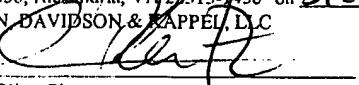
The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.

Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.  
 Any patent application processing fees under 37 C.F.R. 1.17.  
 Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

  
 Erik R. Swanson, Reg. No. 40,833  
 DAVIDSON, DAVIDSON & KAPPEL, LLC  
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I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on 3/24/05.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 

Oliver Platz



5006.1001CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: Birgit NEUDECKER et al.  
Serial No.: 10/822,074 Confirmation No.: 2100  
Filed: 04/09/2004  
For: METHOD AND PREPARATION CONTAINING  
IDEBENONE FOR PROTECTING HUMAN SKIN  
Examiner: (Not yet known)  
Art Unit: 1616  
Customer No.: 23280

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 24, 2005

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. §1.97, Applicants hereby make of record the documents listed on the accompanying Form PTO-1449 (1 page) for consideration by the Examiner in connection with the examination of the above-identified patent application. While the references are being submitted herewith, some or all of the references may not constitute prior art under the U.S. patent laws.

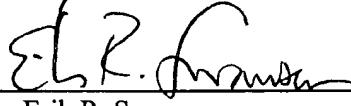
The reference cited on the accompanying PTO-1449 Form has been previously cited as an abstract in an Information Disclosure Statement on the present application.

5006.1001CON

This Information Disclosure Statement is filed under 37 C.F.R. §1.97 (b), before the mailing date of a First Office Action, therefore no fee is believed due. In the event any additional fee is due in connection with this response or if any fee has been overpaid, the deficiency or overpayment should be charged to our Deposit Account No. 50-0552.

It is respectfully requested that the references cited in the accompanying PTO-1449 form be considered and made of record. It is respectfully submitted that the pending claims are patentable over all of the references made of record at this time.

Respectfully Submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By:   
Erik R. Swanson  
Reg. No. 40,833

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FORM PTO-1449  
REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY DOCKET NO.  
5006.1001CONAPPLICATION NO  
10/822,074

## LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT  
Birgit NEUDECKER et al.FILING DATE  
04/09/2004 GROUP  
1616

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	A01						
	A02						
	A03						
	A04						
	A05						
	A06						
	A07						
	A08						
	A09						
	A10						
	A11						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
							YES
							NO
	A12						
	A13						
	A14						
	A15						
	A16						
	A17						
	A18						
	A19						

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	A20	Wieland, Eberhard et al., "Idebenone protects hepatic microsomes against oxygen radical-mediated damage in organ preservation solutions", Transplantation, Vol. 60, No. 5, September 15, 1995, pp. 444-451
	A21	
	A22	
	A23	

EXAMINER	DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.